

ORDINANCE NO. 2010- 23

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING THE HOME RULE CHARTER OF LEON COUNTY, FLORIDA; AMENDING ARTICLE II, ORGANIZATION OF COUNTY GOVERNMENT; AMENDING SECTION 2.3, EXECUTIVE BRANCH; AMENDING SECTION 2.3(2), SENIOR MANAGEMENT, RELATING TO TOURIST DEVELOPMENT COUNCIL STAFF; PROVIDING FOR A BALLOT QUESTION TO BE POSED TO THE LEON COUNTY ELECTORATE AT THE SPECIAL ELECTION ON NOVEMBER 2, 2010; PROVIDING FOR THE BALLOT QUESTION FORM; PROVIDING FOR FURTHER AUTHORIZATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Leon County, Florida,

that:

Section 1. Article II, Section 2.3 of the Home Rule Charter of Leon County, Florida, is hereby amended to read as follows:

Sec. 2.3. Executive Branch.

(1) The County Administrator.

(A) The County Administrator shall be appointed by, and serve at the pleasure of, the Board of County Commissioners. The County Administrator shall be the chief executive officer of the County and all executive responsibilities and powers shall be assigned to, and vested in, the County Administrator. The County Administrator shall exercise all executive authority provided by this Home Rule Charter and all other powers and duties authorized by general or special law.

(B) The County Administrator shall be chosen on the basis of his/her professional qualifications, administrative and executive experience, and ability to serve as the chief

1 administrator of the County. The County Administrator shall reside within the County during
2 his/her tenure as County Administrator.

3 (C) The compensation of the County Administrator shall be fixed by the Board of
4 County Commissioners at a level commensurate with the responsibilities of the position, with
5 performance appraisals conducted by the Board of County Commissioners at least annually.

6 (D) A vacancy in the office shall be filled in the same manner as the original
7 appointment. The County Administrator may appoint an Acting County Administrator in the
8 case of his/her temporary vacancy.

9 **(2) Senior Management.**

10 The County's senior management employees, with the exception of the County
11 Attorney's and ~~Tourist Development Council (TDC)~~ staff, shall serve at the pleasure of the
12 County Administrator, who may suspend or discharge senior management personnel with or
13 without cause.

14 **Section 2. Ballot Question To Be Presented To Electorate.**

15 The proposed amendments to the Home Rule Charter of Leon County, Florida, shall be
16 presented to the qualified Leon County electorate by placing the question of whether to adopt
17 same on the ballot at the special election to be held on November 2, 2010.

18 **Section 3. Ballot Question Form.**

19 The question on the ballot shall be substantially in the following form:

20 **TOURIST DEVELOPMENT COUNCIL MANAGEMENT STRUCTURE AS**
21 **PROPOSED BY THE CITIZEN CHARTER REVIEW COMMITTEE**

22
23 **Question**

24
25 Shall the Home Rule Charter for Leon County, Florida be amended to
26 reflect the current practice of county government with oversight of the

1 Tourist Development Council staff by the County Administrator; effective
2 January 1, 2011?

3
4 Yes for Approval _____

5
6 No for Rejection _____
7

8 **Section 4. Further Authorization.**

9 The Board of County Commissioners of Leon County, Florida, is authorized to adopt all
10 resolutions and take all actions necessary in order for this Charter amendment referendum to be
11 properly placed on the ballot for the special election of November 2, 2010. Said referendum
12 shall be conducted according to the requirements of law governing referendum elections in the
13 State of Florida.

14 **Section 5. Severability.**

15 If any word, phrase, clause, section or portion of this ordinance shall be held invalid or
16 unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a
17 separate and independent provision and such holding shall not affect the validity of the
18 remaining portions thereof.

19 **Section 6. Effective Date.**

20 This ordinance shall have effect upon becoming law, but shall be of no further force or
21 effect if the proposed Charter amendments are not duly approved at the November 2, 2010,
22 special election. The amendments to the Home Rule Charter of Leon County, Florida, as
23 proposed by this Ordinance, shall become effective January 1, 2011, if the Charter amendment is
24 approved by a "yes" vote by a majority of those duly qualified electors voting on the question
25 posed at the November 2, 2010, referendum.

1 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon

2 County, Florida, this 17th day of August, 2010.

3
4 LEON COUNTY, FLORIDA



12 By: Bob Rackleff
13 Bob Rackleff, Chairman
14 Board of County Commissioners

15 ATTESTED BY:
16 BOB INZER, CLERK OF THE COURT
17 LEON COUNTY, FLORIDA

18 By: John Stott, Deputy Clerk
19 Clerk

20
21 APPROVED AS TO FORM:
22 COUNTY ATTORNEY'S OFFICE
23 LEON COUNTY, FLORIDA

24
25 By: Herbert W. A. Thiele, Esq.
26 Herbert W. A. Thiele, Esq.
27 County Attorney
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